

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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2006 MAR 10 P 1:09

CTC COMMUNICATIONS
CORP.,

Plaintiff

v.

CAMBEX CORPORATION,

Defendant

C.A. No. 05-11160-RCL

U.S. DISTRICT COURT
DISTRICT OF MASS.

**ASSENTED TO MOTION TO VACATE DEFAULT AND EXTEND ANSWER
DEADLINE**

Pursuant to Fed.R.Civ. P. 60(b)(1), defendant Cambex Corporation ("Cambex") respectfully requests that the Court vacate the default order entered on February 28, 2006 and extend the deadline by which Cambex must file an answer through March 31, 2006.

As grounds for this motion, the Cambex states:

1. On or around June 14, 2003, Cambex received a letter dated June 12, 2003, from CTC demanding payment in the amount of \$15,107.06.
2. By letter dated June 23, 2003, Cambex responded that its records showed that it did not owe CTC any money; rather, CTC owed Cambex \$9,379.79 for rent and utilities.
3. On October 8, 2003, CTC's counsel sent Cambex a letter stating that Cambex's debt of \$14,953.57 to CTC had been placed in its office for collection.
4. Cambex contacted CTC's counsel but heard nothing further on the matter.

5. On November 10, 2005, CTC filed its Amended Complaint (the "Complaint") against Cambex, seeking payment of \$14,953.37 (the "CTC Claim") which Complaint was served on December 8, 2005.

6. Prior to January 7, 2006, the deadline for filing an answer to the Complaint, Cambex forwarded this matter to its counsel.

7. Cambex's counsel contacted CTC's counsel advising him that Cambex believed that it owed nothing to CTC and requesting backup documentation regarding the CTC Claim. CTC's counsel indicated that he would obtain documentation from CTC and agreed to an extension of time to file an answer to the Complaint while the parties attempted to resolve the matter. CTC's counsel has most recently agreed to extend the answer deadline through March 31, 2006.

8. On March 1, 2006, Cambex received a notice a default, dated February 28, 2006, for failing to file an answer to the Complaint.

9. Cambex's failure to answer was based on a miscommunication with Plaintiff's counsel regarding the filing of a motion seeking an extension of the answer deadline, and, therefore, constitutes a mistake within the meaning of Rule 60(b)(1).

10. If the parties are unable to resolve this matter, Cambex will file an Answer to the Complaint on or before March 31, 2006.

11. Cambex's defenses to the CTC Claim and the allegations set forth in the Complaint are meritorious.

12. The parties are hopeful that this matter can be resolved without the necessity of protracted litigation.

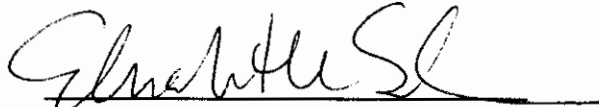
13. Plaintiff, CTC Communications Corp., has assented to this motion.

WHEREFORE, the Receiver respectfully requests that this Court (i) vacate the order of default entered on February 28, 2006 and (ii) extend the time which Cambex must file an Answer to the Complaint through March 31, 2006.

Respectfully submitted,

CAMBEX CORPORATION

By his counsel,



Charles A. Dale III (BBO# 558839)

Elisabeth Schreuer (BBO# 637583)

Gadsby Hannah LLP

225 Franklin Street

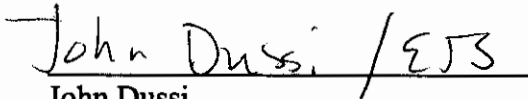
Boston, MA 02110

(617) 345-7000

Assented to:

CTC CORPORATION

By its counsel,



John Dussi

Cohn & Dussi, LLC

25 Burlington Road

Burlington, MA 01803

(781) 494-0200

Dated: March 10, 2006

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CTC COMMUNICATIONS)	
CORP.,)	
)	
Plaintiff)	C.A. No. 05-11160-RCL
)	
v.)	
)	
CAMBEX CORPORATION,)	
)	
Defendant)	

CERTIFICATE OF SERVICE

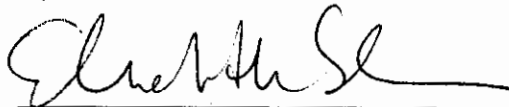
I, Elisabeth Schreuer, hereby certify that on this 10th day of March, 2006, I caused the following party to be served by regular mail, postage prepaid the Assented to Motion to Vacate Default and Extend Answer Deadline.

John Dussi
Cohn & Dussi, LLC
25 Burlington Road
Burlington, MA 01803

Respectfully submitted,

CAMBEX CORPORATION

By his counsel,



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